

## Popular Talks on Law.

Infants, or minors, are persons, male or female, under the age of twenty-one years. In all but a few states, however, females become of age at eighteen. The law relating to infants' contracts is for the protection of the infant himself. He is assumed not to be able to protect himself. The age limit, twenty-one years, was fixed in the law many years ago. Perhaps were the law to be formulated anew the limit would be set lower. Young men and young women enter upon business life nowadays earlier than formerly. However, in no jurisdiction, so far as we have learned, has there been any serious attempt made to set the limit of many lower than twenty-one years, except, as stated, in the case of females.

It is common to hear it said that an infant's contracts are void, that one under age cannot make a binding contract. This is an unsafe statement of the rule, if, indeed, not an incorrect one. It were better to say that infants' contracts are voidable, that is, he may avoid them if he so desires; but there are even exceptions to this, as we shall see. If an infant's contracts were void neither party could be held to them, but it is clear in the law that if the infant wants the contract to stand he can compel its performance on the part of the adult dealing with him; in other words, the plea of infancy is a personal privilege, and one of age who makes a contract with an infant is bound so long as the infant performs his part of the contract.

A contract that is voidable on the part of the infant may, upon his reaching maturity, be ratified by him, in which case both parties will be bound. Where his contract is voidable, as is generally the case, he must avoid it before he becomes of age or at once after becoming of age, or he will be held as having ratified it.

There are instances where the contract of an infant is valid and cannot be avoided by him. These contracts are such as are made for the necessities of life under certain circumstances. In a sense it is scarcely proper, however, to say that he is bound by his contract for necessities. He is, strictly speaking, not bound as on a contract at all; in other words, not bound to pay the price that he agrees to pay, but only for the reasonable value.

A question arises as to what are necessities. By "necessaries" is not meant what is absolutely necessary to barely keep the infant alive.

The rule as generally stated is that the infant is bound for the value of such necessities as are reasonably useful in maintaining him properly considering his station in life. What, therefore, would be deemed a necessary with one person would not be deemed so with another. A poor boy not moving in society that is accustomed to evening dress suit, would not be held bound on a contract to buy a full dress suit. A boy whose station in life, whose associates and circumstances, require the use of evening dress, with the alternative of his appearing ridiculous, would be held bound under such a contract on the theory that the suit was a necessity. A contract for articles of mere luxury or ornament made by an infant would not be valid and binding on him.

Then, again it must be shown, in order that a contract for necessities be held good, that the infant was not supplied with them by his parents, guardians, or otherwise. The same rule that is stated above holds with reference to contracts for medical attendance in sickness, and for the expense of a common school education.

Contracts made by the infant for these, when not furnished by the parent or guardian, or otherwise, would be upheld as valid. Food and clothing, of course, come under the rule. A contract for a college education would not be binding. In other words, whatever the infant contracts for, in order that the contract be valid or binding upon him, must be reasonable in quantity, quality and kind, and suited to his station in life, and not be furnished him by parent, or guardians, or from other source. Contracts entered into by an infant to conduct a business or relating to a business are voidable.

One who pays a child money on a contract with him for services does so at his peril. The child's

earnings belong to the father and not to the child, particularly if the child lives with the father. If the child, however, has been emancipated, the rule is different. As to property generally, the infant may take property and hold it, but once it is his, he cannot make a contract selling it or conveying it that is not voidable by him.

In the matter of the ratification of a contract by one who has reached maturity, it should be stated that the ratification must be of the whole contract. One ratifying a contract made in infancy cannot ratify part and avoid part; he must either ratify all or avoid all. One who has bought property in infancy and not paid for it cannot, upon reaching maturity, keep the property and avoid the contract as to payment. And so with an infant who has obtained property on a contract; if he desires to disaffirm the contract, he must return the property. He can not both retain the property and refuse to pay for it. If, however, he has wasted or squandered or lost or destroyed the property and cannot return it, he is not held liable for it.

In this connection it is interesting to note that in general an infant is liable for fraud, slander, assault, conversion, and other common law torts in the same way as an adult is; but generally it has been held that when an infant falsely represents himself to be of age and thereby induces another to make a contract with him, the infant is not liable.

### Advice to Housewives.

No home is so pleasant, regardless of the comforts that money will buy, as when the entire family is in perfect health. A bottle of Orino Laxative Fruit Syrup costs 50 cents. It will cure every member of the family of constipation, sick headache or stomach trouble. Bort & Co.

## Governor Will Clean House

Just how soon Governor Harris will take action in the Athens hospital investigation case cannot be determined at the present time, as there are circumstances that make delay advisable. Until certain things eventuate the governor will take no action, but as soon as he can do so there will be a change in the personnel of the board of trustees. It is pointed out that but three trustees are holdovers, John Kaiser of Marietta, William Williams of Columbus and John W. Gregg of Piketon.

It can safely be predicted that these three trustees will be asked to resign and that their places will be filled by new men. The other members of the board were either appointed by Patterson or by Governor Harris.

With the change in the membership of the board of trustees will come a change in the steward and the storekeeper of the institution. Steward Jerre Carpenter will be relieved of his place and storekeeper Morris will likewise be asked to hand in his resignation. This change will not be made because there is any criminal charge to be preferred against the officials, or any doubt as to their integrity, but simply because there were irregularities in the purchasing department and loose business methods that were allowed to obtain without check. The governor believes that good service demands the change and it will come to pass, but just how soon cannot be predicted at the present time with any degree of accuracy.

## Brewery Enlarges.

Nelsonville, Sept. 26.—Owing to the immense demand for the Hock-Hocking beer, far exceeding their capacity, the directors have adopted and let plans for a large addition which will increase the output 6,000 barrels per annum.

The contract for the work has been let to Vern Vorhes, the local contractor, and operations will commence at once.

Following this improvement, a large artificial ice plant will be erected in order that the brewery and its customers need have no fear of ice famines nor combines.

Foley's Kidney Cure will cure any case of kidney trouble that is not beyond medical aid. Bort & Co.

## DRY ANNIVERSARY.

### Newcomerstown One Year Without the Saloon.

(Newcomerstown Index.)

"A year ago today Newcomerstown went dry. Twelve saloonists went out of business, and eighty thousand dollars worth of trade in beer and whisky had to be diverted into other channels. Thirty days earlier, the appeal had been made to the highest tribunal known to a free people—the ballot box—and that verdict by a clear majority had declared for the next two years at least intoxicating liquors should not be legally sold within the corporate limits of the town.

"There were people who got hysterical and declared that the fanatics had ruined the town. Even some good, level-headed people doubted the propriety of voting the town dry. A dry town is a dead town, some of them said, and declared that there was nothing to do but board the corporation up, white-wash the fence, and pronounce the obsequies.

"Well, here we are at the end of the first year, and there is not a man so wet but will admit that we are the 'liveliest corpse' in Tuscarawas valley.

"Not a wheel has been stopped, not a shovel thrown into the scrap pile because the liquor traffic was eliminated from the town. Not an able-bodied man within the corporate limits who cannot get employment at fair wages right away if he wants to do so.

"Listen—The Pipe Shops are the largest employers of labor in the town. They have been in operation here for eleven years. There never was a time in all these years when so many men were employed at these works as now. Listen again. There never was a time when the wages paid at these works was as high as right now. Within ten days past W. E. Clow has said that the output of this big plant must be greatly increased. Employ every man you can, are his orders. If these men can't be obtained in Newcomerstown and the Tuscarawas valley, go to New York after them. Go to Chicago. Go to Birmingham, Alabama. But get the men! Does that sound like a dead town?

"Listen again. Is the Pennsylvania railroad, or the Globe Clay Works, or the Novelty Coal Company employing a man less than they did a year ago? And is there a man in those hives of industry whose wages has been reduced?

"Listen again. The croaker said: 'Vote your town dry and the farmers will not bring their trade here. They will go where they can tank up. They will never go to a "Sunday School" town to do business.' What are the facts? Oxford township in Coshocton county, Oxford in Tuscarawas, Wheeling in Guernsey, Salem in Tuscarawas, and Adams in Coshocton, are the townships which largely supply the country produce of Newcomerstown. Did these townships quit coming here when the town went dry? Nay, verily. Every last one of them took a shy at local option, and every last one of them went dry by a bigger majority than did Newcomerstown. Take a walk next Saturday over on Main street, or back on Neighbor, or along Canal or down on River streets, and then tell us if the farmers have quit trading at Newcomerstown.

"The facts are Newcomerstown laboring men are better employed this year than for years past; in many cases are receiving a substantial increase over last year's wages. Their families are happy and contented, and there is plenty of work for everybody. The \$80,000 which went over the bars of Newcomerstown last year is this year clearing off mortgages and buying comforts for Betty and the babies.

"Let us all rejoice together on this first anniversary."

Stensland is Sent to Joliet.

Chicago, Ill., Sept. 26.—After pleading guilty to charges of embezzlement, Paul Stensland was sentenced to an indeterminate term in the Joliet penitentiary.

Stensland was president of the Milwaukee Avenue Savings Bank and looted it of a million dollars. He was captured in Tangier, Morocco, and brought back to Chicago.

## Col. Hite, Dead.

(Lancaster Democrat.)

Col. J. C. Hite, one of the most prominent citizens of Lancaster, who had been in feeble health for several years, peacefully breathed his last at an early hour Monday morning, at his home on East Mulberry street.

For a year or more he was compelled to use crutches to get around, but in keeping with his energetic nature, he persisted in moving about until just a few days before his death. In spite of his extreme nervousness and almost helpless condition he managed to give considerable attention to business matters. His affliction was a complication of diseases and the infirmities incident to old age. He was confined to the house for some time last winter, as the result of an injury to his spine sustained in a fall. This injury, together with an operation he underwent in a Columbus hospital just recently, is thought to have hastened his death.

Colonel Hite was born on a farm in Pleasant township 79 years ago, and was one of the three sons of Samuel and Catherine Hockman Hite. His father died just a few years ago at the advanced age of 98 years. As a boy, the colonel worked on the farm in summer and attended country school in the winter, until he acquired sufficient education to begin teaching, in which as a young man he was engaged for several years. In 1870, he took up newspaper work, and became associated with the Ohio Eagle in an editorial capacity. He continued his partnership with the late Thomas Wetzel in the publication of the Eagle for seven years.

## Will Examine The Tax Laws.

Governor Harris appointed a commission yesterday to examine the taxation laws of the state and recommend to him for transmission to the legislature changes in existing laws to adjust inequalities. The commission consists of two Republicans and two Democrats. The attorney general will serve as chairman.

The Republican members are A. C. Cassatt of Cincinnati and Geo. E. Martin of Lancaster.

The Democrats are Thomas H. Hogsett of Cleveland and Atlee Pomerene of Canton.

## For Lung Troubles

Ayer's Cherry Pectoral certainly cures coughs, colds, bronchitis, consumption. And it certainly strengthens weak throats and weak lungs. There can be no mistake about this. You know it is true. And your own doctor will say so.

"My little boy had a terrible cough. I tried everything I could hear of but to him until I tried Ayer's Cherry Pectoral. The first night he was better, and he steadily improved until he was perfectly well."—Mrs. S. J. Trumble, Alton, Mass.

Made by J. C. Ayer & Co., Lowell, Mass. Sole manufacturers of SASSAPARILLA, PILLS, HAIN VIGOR.

Keep the bowels regular with Ayer's Pills and thus hasten recovery.

### Notice to Next of Kin.

Probate Court, Hocking County, Ohio. In the matter of the will of Joseph Y. Miller, deceased. Notice is hereby given to the unknown "Next of Kin" of Joseph Y. Miller, deceased. You are hereby notified that on the 26th day of September A. D. 1908, an instrument of writing, purporting to be the last will and testament of Joseph Y. Miller, late of Falls Township, said County, deceased, was produced in open court, and an application was made to admit the same to probate was on the same day made in said court. Said application will be for hearing before said court on the 10th day of October, 1908, at 10 o'clock A. M. or as soon thereafter as may be convenient.

F. P. MARTIN, Probate Judge.

### Probate Notice

Notice is hereby given that the following Accounts and Vouchers have been filed in the Probate Court of Hocking County, Ohio, for First and Final settlement: Andrew J. Sloan, sole surviving Executor of the will of William Sloan, late of said County, deceased, and the same will come on for hearing on the 10th day of October A. D. 1908 at 10 o'clock A. M. or as soon thereafter as may be convenient.

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## JOHN HENRY ON COURTING.

By HUGH McHUGH [GEORGE V. HOBART]



"In the Days of Old."

Are you wise to the fact that everything is changing in this old world of ours, and that since the advent of fust-wagons even the old-fashioned idea of courtship has been chased to the woods?

It used to be that on a Saturday evening the young gent would draw down his six dollars' worth of salary and chase himself to the barber shop, where the Dago lawn trimmer would put a crimp in his mustache and plaster his forehead with three cents' worth of hair and a dollar's worth of axle-grass.

Then the young gent would go out and spread 40 cents around among the tradesmen for a mess of water-lilies and a bag of peanut brittle.

The lilies of the valley were to put on the dining-room table so mother would be pleased, and with the peanut brittle he intended to fill in the weary moments when he and his little geisha girl were not making goo-goo eyes at each other.

But nowadays it is different, and Dan Cupid spends most of his time on the hot foot between the corner's office and the divorce court.

I've got a hunch that young people these days are more emotional and like to see their pictures in the newspapers.

Nowadays when a clever young man goes to visit his sweetheart he hikes over the streets in a benzine buggy, and when he pulls the bell-rope at the front door he has a rapid-fire revolver in one pocket and a bottle of carbolic acid in the other.

His intentions are honorable and he wishes to prove them so by shooting his lady love if she renigs when he makes a play for her hand.

I think the old style was the best, because when young people quarreled they didn't need an ambulance and a hospital surgeon to help them make up.

In the old days Oscar Dobson would draw the stove brush cheerfully across his dogskin shoes and rush with eager feet to see Lena Jones, the girl he wished to make the wife of his bosom.

"Darling!" Oscar would say, "I am sure to the bad for love of you. Pipe the downcast drop in this eye of mine and notice the way my heart is bubbling over like a bottle of sarsaparilla on a hot day! Be mine, Lena! Be mine!"

Then Lena would giggle. Not once, but seven giggles, something like those used in a spasm.

Then she would reply: "No, Oscar; it cannot be. Fate wills it otherwise."

Then Oscar would bite his finger nails, pick his hat up out of the coal-scuttle and say to Lena: "False one! You love Conrad, the floorwalker in the butcher shop. Curses on Conrad, and see what you have missed, Lena. I have tickets for a swell chowder party next Tuesday. Ah! farewell forever!"

Then Oscar would walk out and hunt up one of those places that Carrie Nation missed in the shuffle and there, with one arm glued tight around the bar rail, he would fasten his system to a jag which would last for a week.

Despair would grab him and he'd be Oscar with the souse thing for sure.

When he would recover strength enough to walk down town without at-

up, and the wedding bells would ring just as soon as Oscar's salary grew large enough to tease a pocketbook.

But these days the idea is altogether different. Children are hardly out of the cradle before they are arrested for butting into the speed limit with a smoke wagon.

Even when they go courting they have to play to the gallery.

Nowadays Gonsalvo H. Puffenloft



"She Thinks She Is a Gibson Girl."

walks into the parlor to see Miss Imogene Cordelia Hoffbrew.

"Wie gehts, Imogene?" says Gonsalvo.

"Stimlich!" says Imogene, standing at right angles near the piano because she thinks she is a Gibson girl.

"Imogene, dearest," Gonsalvo continues: "I called on your papa in Wall street yesterday to find out how much money you have, but he refused to name the sum, therefore you have untold wealth!"

Gonsalvo pauses to let the Parisian clock on the mantel tick, tick, tick! He is making the bluff of his life you see, and he has to do even that on tick.

Besides, this furnishes the local color.

Then Gonsalvo bursts forth again: "Imogene! Oh! Imogene! will you be mine and I will be thine without money and without the price."

Gonsalvo pauses to let this idea get noised about a little.

Then he goes on: "Be mine, Imogene! You will be minus the money while I will have the price!"

Gonsalvo trembles with the passion which is consuming his pocketbook, and then Imogene turns languidly from a right angle triangle into more of a straight front, and hands Gonsalvo a bitter look of scorn.

Then Gonsalvo grabs his revolver and, aiming it at her marble brow, exclaims: "Marry me this minute or I will shoot you in the topknot, because I love you!"

Then papa rushes into the room and Gonsalvo politely requests the old gentleman to hold two or three bullets for him for a few moments.

Gonsalvo then bites deeply into a bottle of carbolic acid, and just as the cornerer climbs into the house the pictures of the modern lover and loveress appear in the newspapers, and fashionable society receives a jolt.

This is the new and up-to-date way of making love.

However, I think the old style of courting is the best, because you can generally stop a jag before it gets to the undertaker.

What do you think?

(Copyright, 1901, by G. W. Dillingham Co.)

Owl and Mink Fight. While hauling wood on the Mattawamkeag river, a driver discovered a moving object a short distance from the road, and leaving his team he hastened to ascertain what it was when, to his surprise, he found it to be a large owl in combat with a good-sized mink. After a struggle of several moments the owl attempted to rise with its prey, but was able to ascend only a few feet when the mink fell to the ground, where it was soon killed by several well-directed blows from the driver's whip.—Lewiston (Me.) Journal.

Worst Liver Trouble of All. "I have suffered from a disordered liver for a good many years now," complained the sad little wife.

"Why don't you take something for it?" queried the sympathetic friend, quickly.

"Oh, it isn't my liver," replied the little sad wife. "It's my husband's."

—N. Y. Sun.

## Man Wanted!

Somewhere near Logan, to assist in showing and selling properties. No experience necessary, if willing to let us teach you the real estate business. Salary \$60.00 a month, to honest man, willing to devote part of his time to this business. Co-Operative Land Co., Andrus Bldg., Minneapolis, Minn., Sept. 13, 4 w.

## The Texas Wonder.

Cures all Kidney, Bladder and Rheumatic troubles; sold by all druggists, or two months treatment by mail, for \$1. Dr. E. W. Hall, 2926 Olive Street, St. Louis, Mo. Send for testimonials. July 19, '08, 1-yr.

## IN A BEAR'S CLUTCH.

The Prostrate Beast Was Not as Dand as He Seemed.

In Russia it is the practice to hunt bears just as they are coming out after their long sleep. Assassins are managed the most timid individual may go bear hunting with perfect impunity. Armed with a good rifle, accompanied by a friend and a guide similarly equipped, the most unpracticed hunter can usually get his quarry before the half awake creature has proceeded far from his lair. And yet occasionally the unforeseen occurs, as it did in an adventure related by Mr. Whishaw in "Out of Doors in Czarland."

The baron and the colonel had purchased rights over a hibernating bear, declared to be one of the largest ever seen. When the animal was fairly dislodged from his place of concealment the baron, who had secured the first shot, fired, and the enormous creature fell prostrate and motionless.

The baron was jubilant. Handing his rifle to the keeper, he seated himself on a fallen tree.

"It's a magnificent specimen," said the colonel. "Wouldn't it be awkward if it should get up?"

"Get up!" exclaimed the baron. "He's as dead as Caesar. Look!" And going up to the prostrate creature he gave it a kick with his heavy shooting boot. To his horror the bear roared and rose to its full height. With blood pouring out of its mouth it fell bodily on the baron, forcing him to his back and pitching on top of him. The colonel took one step toward his rifle, but the movement caused the bear to place one huge paw on the baron's chest and to fix its wicked eyes on the colonel.

"For pity's sake, don't move!" said the baron. "If you do he'll murder me. Let him fix his attention on you. He suspects you and won't move if you don't."

The moments seemed interminable. At last the keeper managed to edge near enough to receive the baron's whispered instructions. "Creep up behind the colonel," gasped the poor man, "take his rifle and shoot the bear behind its shoulder."

Luckily the keeper was an excellent marksman and shot the bear through the heart. The creature loosed its hold, shivered and rolled off the half stifled baron.

### Parliamentary Anecdotes.

In Michigan some years ago a bill was before the legislature to restore the death penalty for the crime of murder. Three of the ablest members of the house made long speeches in favor of the bill—so long as to be found wearisome, especially by those who disagreed with the opinions expressed. When the third man had finished a young member on the other side of the chamber rose and said very sarcastically:

"Mr. Speaker, I rise to a question of privilege."

"The gentleman will state his question of privilege," said the speaker.

"Mr. Speaker, I wish to inquire of our friends of the other side of the house which they think is preferable—to be hanged or to be talked to death?"

The question was greeted by applause. Then suddenly some one with a very loud voice said:

"Oh, well, if you're going to talk we prefer to be hanged."

### Doubtful Compliment.

A clergyman was about to leave his church one evening when he encountered an old lady examining the carving on the font. Finding her desirous of seeing the beauties of the church, he volunteered to show her over, and the flustered old lady, much gratified at this unexpected offer of a personally conducted tour, shyly accepted it. By and by they came to a handsome tablet on the right of the pulpit. "This," explained the good man, "is a memorial tablet erected to the memory of the late vicar." "There, now! Ain't it beautiful?" exclaimed the admiring old lady, still flustered and anxious to please. "And I'm sure, sir, I hope it won't be long before we see one erected to you on 't'other side!"—Scotch-American.

### He Had Remembered.

Hiram Bobbs was absentminded. He admitted that himself. Still, even he was occasionally surprised by his own failings. One morning he reached his office unaccountably late. "Dear me!" he thought. "Where can I have been?"

The answer was not forthcoming. Hiram sat down at his desk and took out his pocket handkerchief. It was tied tightly in a knot.

"Now," he exclaimed, "what was that for? Oh, yes! Marthy told me to get my shoes soled."

With an air of resignation to the whims of womanhood he put on his hat, closed his desk, and went out to the "soled-while-you-wait" cobbler's. He went in and sat down, took off his shoes, and settled back in a chair to read his newspaper.

"What is it, Mr. Bobbs?" inquired the cobbler. "What? Oh, er—er—why—oh, yes! I want my shoes soled." "Pardon me, sir," said the cobbler, "but I finished soiling them only half an hour ago. They can't be worn out yet, sir."